REMARKS

Claims 19 – 42 and 45 – 48 are in the application. Claims 19, 45, and 46 are currently amended; claims 36, 47, and 48 were previously presented; claims 1 – 18 are canceled; and claims 20 -35 and 37 – 44 remain unchanged from the original versions thereof. Claims 1, 36, and 45 – 48 are the independent claims herein.

No new matter has been added. In particular, this Supplemental Response and Amendment corrects the claim status identifier associated with claim 48. Reconsideration and further examination are respectfully requested.

Applicant requests that the Office remove the finality of the Office Action dated January 11, 2008. The Office issued a final Office Action in reply to the filing of an RCE that included entry of claim amendments.

Claim Rejections – 35 USC § 101

Claims 19, 36, and 45 – 48 were rejected under 35 U.S.C. 101 for allegedly being directed to non-statutory subject matter. This rejection is traversed.

The office Action states that the recitations of "referring", "accessing", "receiving", identifying", "providing", and "communicating" are mere abstract ideas without any practical application and do not produce a useful, concrete and tangible result. Applicant respectfully submits that the Office has improperly chosen to disregard that which Applicant actually claims. Applicant notes that claim 19, for example, states (in part), "accessing, by a borrower, an electronically accessible resource"; "receiving a request regarding said account via said electronically accessible resource"; and "providing a notification via an electronic communication to said vendor".

Clearly, accessing an electronically accessible resource and receiving a request via the electronically accessible resource are not mere abstract ideas as alleged by the Office Action. These claimed aspects include or interact with a tangible electronically

accessible resource. Further, the claimed aspect of providing a notification via electronic communication is a clear and unambiguous recitation of a tangible and concrete result. Applicant's claims in fact do provide a tangible result (e.g., a notification provided by way of electronic communication).

Claim 36 is worded, in relevant part, similar to claim 19. Claims 45 and 47 relate to a system and claims 46 and 48 relate to a computer program product. Each of the claimed systems including a "memory", "communication port", and "processor", and the claimed computer program products are patentable subject matter under 35 USC 101.

Accordingly, Applicant respectfully submits that claims 15, 36, 45 – 48 are patentable under 35 USC 101. Applicant therefore requests the reconsideration and withdrawal of the rejection of claims 19, 36, and 45 – 48 under 35 USC 101.

Claim Rejections – 35 USC § 112

Claims 19, 36, and 43 – 48 were rejected by the Office for being indefinite. Il particular, the Office Action states, "accessing by a borrower an electronically accessible resource, that includes information regarding commercial mortgage loan account wherein the borrower has a loan account associated with the commercial mortgage loan and ownership interest in the commercial mortgage loan is provided via at least one commercial mortgage backed security" it is unclear because nothing is done with this data and all that Applicant's claims is attempting to do is simply perform a referral service…" The examiner interprets the limitation in light of this 112, second rejection. This rejection is traversed.

Applicant notes that the Office Action appears to imply that Applicant's claims are required specifically recite what is done with the information regarding the commercial loan account since because, as argued, "nothing is done with this data and all that Applicant's claims is attempting to do is simply perform a referral service…". However, Applicant notes that the claim 19 recites accessing, by a borrower, an electronically accessible resource that includes information regarding a commercial mortgage loan

account, wherein the borrower has a loan account associated with the commercial mortgage loan". Thus, it is clear that the claim defines a relationship between the borrower and the commercial mortgage loan and other aspects of the claimed method. Applicant submits that it is not seen from the rejection or the record where or why the claim is unclear given the fact the all of the claimed aspects are sufficiently related and linked together in the claims.

Regarding claims 45 and 47, recites the word "operative" as rendering the claims indefinite. Applicant respectfully submits that the plain meaning of the word "operative" is known or should be known to one skilled in the relevant art(s) at the time of the invention. As such, Applicant's system claims reciting the claimed processor is operative (i.e., to cause or effectuate upon operation) the various operations recited in the claim is not seen as indefinite or contrary to the plain meaning of the commonly used "operative".

Regarding the statements in the *Response to Arguments* section of the Office Action, Applicant notes that the Office Action failed to clarify under what authority the claims were found to be objectionable. Applicant responds herein by amending the claims in an attempt to satisfy the Office's concerns regarding the claims including language of questionable "limiting effect". See current amendments to claims 19, 45, and 48. Applicant respectfully requests the Office to further clarify the rejections if the bona fide attempt made herein is not sufficient to overcome the rejection of record.

Applicant requests the reconsideration and withdrawal of the rejection of claims 19, 36, and 43 – 48 under 35 USC 112, second paragraph.

Claim Rejections – 35 USC § 103

Claims 19 – 42 and 45 – 48 were rejected under 35 U.S.C. 103(a) as being unpatentable over Martin et al. (hereinafter Martin, U.S. Patent No. 6,304,860) in view of Ashenmil et al. (hereinafter Ashenmil, U.S. Patent No. 6,615,187). This rejection is traversed.

Applicant notes that claim 19 relates to a method for facilitating a service provider to refer requests from a borrower for services to a vendor, the borrower has an account involving a commercial mortgage loan and ownership interest in the commercial mortgage loan is provided via at least one commercial mortgage backed security. The method includes accessing, by a borrower, an electronically accessible resource that includes information regarding a commercial mortgage loan account, wherein the borrower has a loan account associated with the commercial mortgage loan and ownership interest in the commercial mortgage loan is provided via at least one commercial mortgage backed security; receiving a request regarding said account via said electronically accessible resource from said borrower for a referral for a service, wherein said borrower is associated with said account; and identifying a vendor for providing said service. The method further includes identifying at least one step associated with said request, said at least one step is being accomplished by said vendor providing said service; providing a notification via an electronic communication to said vendor regarding said request and said at least one step; and communicating with said vendor regarding said at least one step for accomplishing said at least one step. Claims 45 and 46 are worded, in relevant part, similar to claim 19.

Applicant notes that the cited and relied upon Martin relates to a method and system for segregating consumer payments into separate depository accounts. However, Martin fails to disclose or even suggest the claimed aspect of receiving a request regarding said account via said electronically accessible resource from said borrower for a referral for a service, and identifying a vendor for providing said service. Martin is silent regarding identifying a vendor for providing a service in reply to a borrower's request for a referral. Instead, Martin discloses receiving a total amount of consumer's debt payment and routing an appropriate amount of payments into multiple depository accounts. No request for a referral and no identification of a vendor for providing the service is disclose or suggested by Martin.

Regarding claims 36, 47, and 48, Applicant respectfully submits that Martin fails to disclose or suggest the claimed receiving an inquiry via the electronically accessible resource from the investor regarding said commercial mortgage loan; determining at least one other investor associated with the commercial mortgage loan; and providing the response to said investor and said at least one other investor. Instead, Martin at most discloses communicating a message regarding debit payment coming due to the particular consumer associated with the payment and not other consumers.

Thus, despite the Office Action's allegations to the contrary, Martin fails to disclose that which is claimed by Applicant. Applicant therefore requests the reconsideration and withdrawal of the rejection of claims 19 – 42 and 45 – 48 under 35 USC 103 (a).

CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-5985.

Respectfully submitted,

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Date

/Randolph P. Calhoune/
Randolph P. Calhoune
Registration No. 45,371
Buckley, Maschoff & Talwalkar LLC
50 Locust Avenue
New Canaan, CT 06840
(203) 972-5985